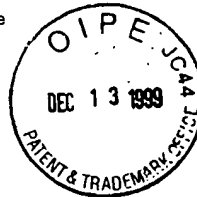


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 12/10/99

Lynette M. Bailey
Date of Signature 12/10/99



Seider
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Clarkson et al.

Group Art Unit: 2771

Serial No.: 09/431,566

Examiner: Not Assigned

Filed: October 29, 1999

Docket No.: 1273/12

For: METHODS AND SYSTEMS FOR BUILDING AND DISTRIBUTING AUDIO PACKAGES

**RESPONSE TO NOTICE TO FILE MISSING
PARTS - FILING DATE GRANTED**

Honorable Commissioner of Patents
and Trademarks
Box Missing Parts
Washington, D.C. 20231

Sir:

Pursuant to the "Notice to File Missing Parts of Application - Filing Date Granted" dated November 29, 1999, and having a period for response set to expire on January 29, 2000, please find enclosed herewith the following:

1. Original executed Declaration for the above-referenced U.S. Patent Application;
2. Original executed Assignment for the above-referenced U.S. Patent Application, together with the Assignment recordation cover sheet; and
3. A check in the amount of \$170.00 representing the surcharge fee (\$130.00) and the Assignment recordation fee (\$40.00).
4. A filing receipt card to be returned to our offices with the U.S. Patent and Trademark filing stamp thereon.

A copy of the Notice to File Missing Parts is being filed simultaneously herewith.

Although a check is being submitted in the amount of \$170.00, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to deposit account no. 50-0426 in association with the filing of this Response.

Respectfully submitted,

JENKINS & WILSON, P.A.

Date: 10 Dec. 1999

By:

ML Wilson
Jeffrey L. Wilson
Registration No. 36,058

Suite 1400 University Tower
3100 Tower Boulevard
Durham, North Carolina 27707
Telephone: (919) 493-8000
Facsimile: (919) 419-0383

11273/12 JLW/GAH/lmb

Enclosures



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/481,566	10/29/99	CLARKSON	L 1273/12

0222/1129

JEFFREY L. WILSON
JENKINS & WILSON P A
SUITE 1400 UNIVERSITY TOWER
3100 TOWER BOULEVARD
DURHAM NC 27707

NOT ASSIGNED

2771

DATE MAILED: 11/29/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☒ missing
☐ insufficient

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

FORM PTO-1533 (REV. 9/98)

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/14/1999 09:11:05
01 FC:105

U.S. GPO: 1999 450-5875

BEST AVAILABLE COPY

✓
1/29/00
2/29/00
3/29/00
4/29/00
5/29/00

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/431,566

Filing Date

October 29, 1999

First Named Inventor

Clarkson et al.

Group Art Unit

2771

Examiner Name

Not Assigned

Total Number of Pages in This Submission

17

Attorney Docket Number

1273/12



ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/
Incomplete Application

☒ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☒ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)
and Accompanying Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence
Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s)
(please identify below):

Check for \$170.00
Executed Declaration
Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Jeffrey L. Wilson

Signature

Jeffrey L. Wilson

Date

10 Dec. 1999

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an
envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: December 10, 1999

Typed or printed name Lynette M. Bailey

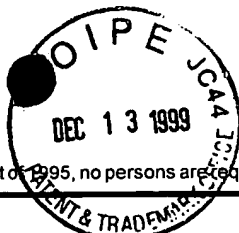
Signature

L. Bailey

Date

12/10/99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL		Complete if Known	
Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§1.27 and 1.28.		Application Number	09/431,566
		Filing Date	October 29, 1999
		First Named Inventor	Clarkson et al.
		Examiner Name	Not Assigned
		Group / Art Unit	2771
		Attorney Docket No.	1273/12
TOTAL AMOUNT OF PAYMENT	(\$)	170.00	

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																					
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 50-0426</p> <p>Deposit Account Name: Jenkins & Wilson, P.A.</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td>0.00</td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>0.00</td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td>0.00</td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>0.00</td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>0.00</td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>0.00</td></tr><tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td>0.00</td></tr><tr><td>117</td><td>950</td><td>217</td><td>475</td><td>Extension for reply within third month</td><td>0.00</td></tr><tr><td>118</td><td>1,510</td><td>218</td><td>755</td><td>Extension for reply within fourth month</td><td>0.00</td></tr><tr><td>128</td><td>2,060</td><td>228</td><td>1,030</td><td>Extension for reply within fifth month</td><td>0.00</td></tr><tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td>0.00</td></tr><tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td>0.00</td></tr><tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td>0.00</td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>0.00</td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td>0.00</td></tr><tr><td>141</td><td>1,320</td><td>241</td><td>660</td><td>Petition to revive - unintentional</td><td>0.00</td></tr><tr><td>142</td><td>1,320</td><td>242</td><td>660</td><td>Utility issue fee (or reissue)</td><td>0.00</td></tr><tr><td>143</td><td>450</td><td>243</td><td>225</td><td>Design issue fee</td><td>0.00</td></tr><tr><td>144</td><td>670</td><td>244</td><td>335</td><td>Plant issue fee</td><td>0.00</td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>0.00</td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td>0.00</td></tr><tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td>0.00</td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr><tr><td>146</td><td>790</td><td>246</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td>0.00</td></tr><tr><td>149</td><td>790</td><td>249</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td>0.00</td></tr><tr><td colspan="5">Other fee (specify) _____</td><td>0.00</td></tr><tr><td colspan="5">Other fee (specify) _____</td><td>0.00</td></tr><tr><td colspan="5">SUBTOTAL (3)</td><td>(\$)</td><td>170.00</td></tr></tbody></table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	130.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	0.00	139	130	139	130	Non-English specification	0.00	147	2,520	147	2,520	For filing a request for reexamination	0.00	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	0.00	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	0.00	115	110	215	55	Extension for reply within first month	0.00	116	400	216	200	Extension for reply within second month	0.00	117	950	217	475	Extension for reply within third month	0.00	118	1,510	218	755	Extension for reply within fourth month	0.00	128	2,060	228	1,030	Extension for reply within fifth month	0.00	119	310	219	155	Notice of Appeal	0.00	120	310	220	155	Filing a brief in support of an appeal	0.00	121	270	221	135	Request for oral hearing	0.00	138	1,510	138	1,510	Petition to institute a public use proceeding	0.00	140	110	240	55	Petition to revive - unavoidable	0.00	141	1,320	241	660	Petition to revive - unintentional	0.00	142	1,320	242	660	Utility issue fee (or reissue)	0.00	143	450	243	225	Design issue fee	0.00	144	670	244	335	Plant issue fee	0.00	122	130	122	130	Petitions to the Commissioner	0.00	123	50	123	50	Petitions related to provisional applications	0.00	126	240	126	240	Submission of Information Disclosure Stmt	0.00	581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00	146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	0.00	149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	0.00	Other fee (specify) _____					0.00	Other fee (specify) _____					0.00	SUBTOTAL (3)					(\$)	170.00
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																	
105	130	205	65	Surcharge - late filing fee or oath	130.00																																																																																																																																																																																	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	0.00																																																																																																																																																																																	
139	130	139	130	Non-English specification	0.00																																																																																																																																																																																	
147	2,520	147	2,520	For filing a request for reexamination	0.00																																																																																																																																																																																	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	0.00																																																																																																																																																																																	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	0.00																																																																																																																																																																																	
115	110	215	55	Extension for reply within first month	0.00																																																																																																																																																																																	
116	400	216	200	Extension for reply within second month	0.00																																																																																																																																																																																	
117	950	217	475	Extension for reply within third month	0.00																																																																																																																																																																																	
118	1,510	218	755	Extension for reply within fourth month	0.00																																																																																																																																																																																	
128	2,060	228	1,030	Extension for reply within fifth month	0.00																																																																																																																																																																																	
119	310	219	155	Notice of Appeal	0.00																																																																																																																																																																																	
120	310	220	155	Filing a brief in support of an appeal	0.00																																																																																																																																																																																	
121	270	221	135	Request for oral hearing	0.00																																																																																																																																																																																	
138	1,510	138	1,510	Petition to institute a public use proceeding	0.00																																																																																																																																																																																	
140	110	240	55	Petition to revive - unavoidable	0.00																																																																																																																																																																																	
141	1,320	241	660	Petition to revive - unintentional	0.00																																																																																																																																																																																	
142	1,320	242	660	Utility issue fee (or reissue)	0.00																																																																																																																																																																																	
143	450	243	225	Design issue fee	0.00																																																																																																																																																																																	
144	670	244	335	Plant issue fee	0.00																																																																																																																																																																																	
122	130	122	130	Petitions to the Commissioner	0.00																																																																																																																																																																																	
123	50	123	50	Petitions related to provisional applications	0.00																																																																																																																																																																																	
126	240	126	240	Submission of Information Disclosure Stmt	0.00																																																																																																																																																																																	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																																	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	0.00																																																																																																																																																																																	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	0.00																																																																																																																																																																																	
Other fee (specify) _____					0.00																																																																																																																																																																																	
Other fee (specify) _____					0.00																																																																																																																																																																																	
SUBTOTAL (3)					(\$)	170.00																																																																																																																																																																																
<p>1. BASIC FILING FEE</p> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>790</td><td>201</td><td>395</td><td>Utility filing fee</td><td></td></tr><tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>540</td><td>207</td><td>270</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>790</td><td>208</td><td>395</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>(\$)</td><td>0.00</td></tr></tbody></table> <p>2. EXTRA CLAIM FEES</p> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>103</td><td>22</td><td>203</td><td>11</td><td>Claims in excess of 20</td><td></td></tr><tr><td>102</td><td>82</td><td>202</td><td>41</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>109</td><td>82</td><td>209</td><td>41</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>110</td><td>22</td><td>210</td><td>11</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="5">SUBTOTAL (2)</td><td>(\$)</td><td>0.00</td></tr></tbody></table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	790	201	395	Utility filing fee		106	330	206	165	Design filing fee		107	540	207	270	Plant filing fee		108	790	208	395	Reissue filing fee		114	150	214	75	Provisional filing fee		SUBTOTAL (1)					(\$)	0.00	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	22	203	11	Claims in excess of 20		102	82	202	41	Independent claims in excess of 3		104	270	204	135	Multiple dependent claim, if not paid		109	82	209	41	** Reissue independent claims over original patent		110	22	210	11	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)					(\$)	0.00																																																																																																
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																	
101	790	201	395	Utility filing fee																																																																																																																																																																																		
106	330	206	165	Design filing fee																																																																																																																																																																																		
107	540	207	270	Plant filing fee																																																																																																																																																																																		
108	790	208	395	Reissue filing fee																																																																																																																																																																																		
114	150	214	75	Provisional filing fee																																																																																																																																																																																		
SUBTOTAL (1)					(\$)	0.00																																																																																																																																																																																
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																	
103	22	203	11	Claims in excess of 20																																																																																																																																																																																		
102	82	202	41	Independent claims in excess of 3																																																																																																																																																																																		
104	270	204	135	Multiple dependent claim, if not paid																																																																																																																																																																																		
109	82	209	41	** Reissue independent claims over original patent																																																																																																																																																																																		
110	22	210	11	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																		
SUBTOTAL (2)					(\$)	0.00																																																																																																																																																																																

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Jeffrey L. Wilson			Reg. Number	36,058
Signature				Deposit Account User ID	3994
	Date	12-10-99			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.